

## **EXHIBIT 3**

**From:** Gene Paige  
**Sent:** Thursday, March 22, 2012 9:37 AM  
**To:** 'Teraguchi, Yuka'; Matthias Kamber; Gary M. Padilla  
**Cc:** Muino, Daniel P.; Peters, Marc D.; Beko Richardson (brichardson@BSFLLP.com)  
**Subject:** RE: Oracle/Google - Trial exhibit list

Dear Yuka:

With trial now set for April 16, I write to follow up on my message below. We passed along Google's corrections to the exhibit list on December 19, but I do not believe that we have ever seen a corrected copy including these Google edits. Can you provide a copy at your earliest convenience please?

Regards,  
Gene

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**From:** Gene Paige  
**Sent:** Monday, December 19, 2011 7:22 PM  
**To:** 'Teraguchi, Yuka'; Matthias Kamber; Gary M. Padilla  
**Cc:** Muino, Daniel P.; Peters, Marc D.; Beko Richardson (brichardson@BSFLLP.com)  
**Subject:** RE: Oracle/Google - Trial exhibit list

Dear Yuka:

Thank you for your email of Friday evening, and for the attached updated exhibit list.

We have made similar corrections in the Google portion of the exhibit list, which are similarly shown in red. There is also a second sheet showing changes made for your convenience. Please contact me with any questions.

On a separate but related note, I have not as yet seen the list of additional exhibits referenced in the email below. Please send those at your earliest convenience.

Regards,  
Gene

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**From:** Teraguchi, Yuka [<mailto:YTeraguchi@mofo.com>]  
**Sent:** Friday, December 16, 2011 6:16 PM  
**To:** Gene Paige; Matthias Kamber; Gary M. Padilla  
**Cc:** Muino, Daniel P.; Peters, Marc D.; Beko Richardson ([brichardson@BSFLLP.com](mailto:brichardson@BSFLLP.com))  
**Subject:** RE: Oracle/Google - Trial exhibit list

Gene, Matthias, and Gary:

Please find attached updated exhibit list. We used the same blue/yellow highlights to indicate the duplicates, copied over Google's notes to column K, and included Oracle's notes in column L. We would appreciate it if you could make your changes to this copy of the exhibit list.

We will send you a list of additional exhibits later in a separate email.

Please let me know if you have any questions. Thank you.

Best regards,  
Yuka

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**From:** Teraguchi, Yuka  
**Sent:** Thursday, December 15, 2011 11:07 AM  
**To:** [EPaige@kvn.com](mailto:EPaige@kvn.com); [MKamber@kvn.com](mailto:MKamber@kvn.com); Gary M. Padilla  
**Cc:** Muino, Daniel P.; Peters, Marc D.; Beko Richardson ([brichardson@BSFLLP.com](mailto:brichardson@BSFLLP.com))  
**Subject:** Oracle/Google - Trial exhibit list

Gene, Matthias, and Gary,

Please find attached updated exhibit list. We have corrected some of the descriptions and Bates numbers (shown in red) and removed duplicates from Oracle's exhibit list.

I understand that some of you will be at MoFo's Palo Alto office this afternoon to meet and confer about the patent marking procedure. **We would like to meet and confer about the exhibit list afterwards, if possible.**

Gary has highlighted the duplicates on the exhibit list in blue and yellow. (Thanks, Gary.)

- **BLUE** indicates duplicates between Oracle's and Google's exhibit lists, or duplicates on one party's list to which the other party has the same objections. I understand that Google has already removed the blue-highlighted duplicates within Google's list. Oracle has removed the blue-highlighted duplicates within Oracle's list.
- **YELLOW** indicates duplicates on one party's list to which the other party has different objections. For duplicates on Google's list to which Oracle had different objections, Oracle has consolidated the objections so that Google can keep the first occurrence of the duplicate (marked "objections checked") and remove other occurrences (marked "objections changed to match XXX; remove?").

We can ignore all other highlights for our meet and confer. Thank you.

Yuka

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